

PATENT
Docket No. 300622003110

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
BOX SEQUENCE, Assistant Commissioner for Patents, Washington, D.C. 20231, on July 19, 2001.

Marian Christopher
Marian Christopher

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Bryan JULIEN et al.

Serial No.: 09/724,876

Filing Date: November 28, 2000

For: RECOMBINANT METHODS AND
MATERIALS FOR PRODUCING
EPOTHILONE AND EPOTHILONE
DERIVATIVES

Examiner: To be Assigned

Group Art Unit: 1652

TRANSMITTAL

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

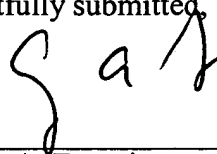
Dear Sir:

Attached hereto for filing are the following:

1. Communication Regarding Notice to file missing parts of nonprovisional application
2. Copy of the Notice to file missing parts of nonprovisional application
3. Amendment
4. Paper copy of the Sequence Listing
5. Request to use computer readable form from another application

In the unlikely event that the Patent Office determines that extensions and/or other relief is required, applicant petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or fees due to our Deposit Account No. 03-1952 under Order No. 300622003110. The Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

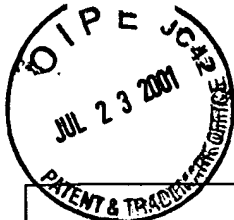


Dated: July 18, 2001

By: _____

Carolyn A. Favorito
Registration No. (39,183)

Morrison & Foerster LLP
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-5195
Facsimile: (858) 720-5125



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Bryan JULIEN, et al.

Serial No.: 09/724,876

Filing Date: November 28, 2000

For: RECOMBINANT METHODS AND
MATERIALS FOR PRODUCING
EPOTHILONE AND EPOTHILONE
DERIVATIVES

Examiner: K. Kerr

Group Art Unit: 1652

**COMMUNICATION REGARDING NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION**

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Notice to File Missing Parts of Application Under
37 C.F.R. § 1.53(f) dated May 22, 2001, time for response to which is set to expire July 22,
2001. Therefore, this response is timely filed.

Attached please find a copy of the combined Declaration and Power of Attorney signed
by the inventors as filed with the application on November 28, 2000.

According to the Notice (attached hereto for your reference), the signature of inventor
Chaitan Khosla is missing from the declaration. However, the enclosed declaration does contain

Chaitan Khosla's signature. Therefore, it is believed that no fee is required because the error was on the part of the Patent and Trademark office. The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this communication and associated documents, or to credit any overpayment to **Deposit Account No. 03-1952**. A duplicate copy of this transmittal is enclosed for that purpose.

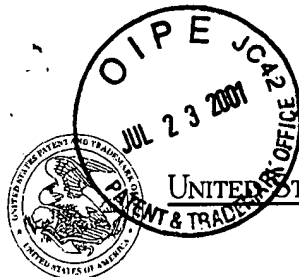
Respectfully submitted,

Dated: July 18, 2001

By: gaf

Carolyn A. Favorito
Registration No. 39,183

Morrison & Foerster LLP
3811 Valley Centre Drive, Suite 500
San Diego, CA 92130
Telephone: (858) 720-5195
Facsimile: (858) 720-5125

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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/724,876 | 11/28/2000 | Bryan Julien | 300622003110 |

CONFIRMATION NO. 7402

FORMALITIES LETTER



OC000000006104895

 Carolyn A. Favorito
 Morrison & Foerster LLP
 Suite 500
 3811 Valley Centre Drive
 San Diego, CA 92130-2332

#4

Date Mailed: 05/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

07/25/2001 MABDI1 00000117 031952 09724876

01 FC:205

65.00 CH

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Chaitan Khosla
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE